

REMARKS

Applicants appreciate the Examiner's thorough consideration provided the present application. Claims 1 and 3-8 are now present in the application. The specification and claim 1 have been amended. Claims 3-8 have been added. Claim 1 is independent. Reconsideration of this application, as amended, is respectfully requested.

Reasons For Entry Of Amendments

As discussed in greater detail hereinafter, Applicants respectfully submit that the rejection under 35 U.S.C. § 102 is improper and should immediately be withdrawn. Accordingly, the finality of the Final Office Action mailed on June 29, 2005 should be withdrawn.

If the Examiner persists in maintaining his rejection, Applicants submit that this Amendment was not presented at an earlier date in view of the fact that Applicants are responding to a new ground of rejection set forth in the Final Office Action. In accordance with the requirements of 37 C.F.R. §1.116, Applicants respectfully request entry and consideration of the foregoing amendments as they remove issues for appeal.

Specification

The specification has been amended to further clarify the present invention. Applicants respectfully submit that no new matter is entered. Entry of the above amendments to the specification is earnestly solicited.

Claim Rejections Under 35 U.S.C. § 102

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Walsh et al., *"Hybrid Networks – A Step Beyond 3G"*. This rejection is respectfully traversed.

In light of the foregoing amendments to the claims, Applicants respectfully submit that this rejection has been obviated and/or rendered moot. As the Examiner will note, independent claim 1 has been amended to recite a combination of elements including "an architecture of the network system including ... a wireless access network, a basic access network_independent from the wireless access network..." and "the basic access network allowing the mobile host to determine a location of the mobile host". Support for the above combination of elements can be found in FIG. 3 and on the paragraph beginning on page 11, line 9, and the paragraph beginning on page 12, line 21. Applicants respectfully submit that the above combination of elements as set forth in amended independent claim 1 is not disclosed nor suggested by the reference relied on by the Examiner.

Walsh discloses a DRiVE system architecture including an external network (with Corresponding node (CN)), a DRiVE core network (with Subscriber Authentication (SA), Traffic Control (TC), and Mobility Management (MM)), a plurality of access systems (with Dynamic Spectrum Allocation /Traffic Control (DSA/TC)), and end systems (with Mobile Node (MN)) (see FIG. 6).

The Examiner in the instant Office Action construed the particular one selected access system (AS) of Walsh, which handles all traffic from a Home Agent, as the basic access network of claim 1. However, all access systems of Walsh belong to the same wireless access network.

Unlike Walsh, the basic access network of claim 1 is not selected from any wireless access network (AS of Walsh), but is independent network system from any wireless access network system. This independent basic access network offers providers of wireless services the possibility to setup an infrastructure with little investments. New providers can easily connect to the core network (see page 11, lines 15-19 of the specification). Therefore, Walsh fails to teach “an architecture of the network system including ... a wireless access network, a basic access network independent from the wireless access network...” as recited in amended claim 1.

In addition, although the Examiner alleged that the selected AS of Walsh handles all traffic from a Home Agent, Walsh fails to disclose that the selected AS allows the end systems (MN) to determine the locations of the end systems. Therefore, Walsh fails to teach “the basic access network allowing the mobile host to determine a location of the mobile host” as recited in amended claim 1.

Since Walsh fails to teach each and every limitation of amended independent claim 1, Applicants respectfully submit that claim 1 clearly defines over the teachings of Walsh. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 102 are respectfully requested.

Additional Claims

Additional claims 3-8 have been added for the Examiner’s consideration. Support for new claims 3-8 can be found on paragraphs bridging pages 9 and 10, beginning on page 12, line 19, beginning on page 12, line 29, beginning on page 13, line 26, and beginning on page 12, line 16.

Applicants respectfully submit that claims 3-8 are allowable due to their respective dependence on independent claim 1, as well as due to the additional recitations included in these claims.

Favorable consideration and allowance of additional claims 3-8 are respectfully requested.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but merely to show the state of the prior art, no further comments are necessary with respect thereto.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Joe McKinney Muncy, Registration No. 32,334 at (703) 205-8000 in the Washington, D.C. area.

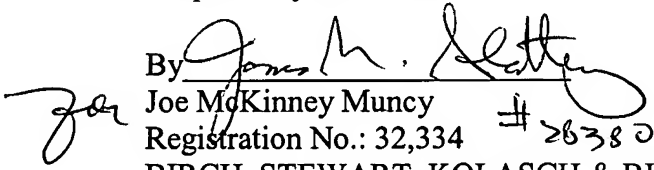
Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicants respectfully petition for a one (1) month extension of time for filing a response in connection with the present application and the required fee of \$120.00 is attached herewith.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: October 27, 2005

Respectfully submitted,

By


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